

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE**

United States of America

v.

Case No. 06-cr-034-01-PB

Quenta Parker

O R D E R

The defendant apparently seeks to reduce his sentence based upon a 2007 amendment to the Federal Sentencing Guidelines regarding cocaine base offenses ("2007 Crack Cocaine Amendment").¹ For the reasons stated below, the motion to reduce sentence (document no. 142) is DENIED.

On May 1, 2007, the United States Sentencing Commission (the "Commission") submitted to Congress an amendment to the Federal Sentencing Guidelines that lowers the guideline sentencing range for certain categories of offenses involving crack cocaine. Specifically, the amendment adjusts downward by two levels the base offense level assigned to each threshold quantity of crack cocaine listed in the Drug Quantity Table in §2D1.1 and provides

¹The defendant previously filed a motion seeking the appointment of counsel to pursue a sentence reduction based upon the 2010 Crack Cocaine Amendment, which was denied on February 28, 2012.

a mechanism for determining the guideline range for offenses involving crack cocaine and other controlled substances. This amendment took effect November 1, 2007.

The defendant was sentenced on November 27, 2007, after the effective date of the 2007 Crack Cocaine Amendment. Thus, the court considered the 2007 Crack Cocaine Amendment at the time of sentencing and, as a result, the defendant is entitled to no further reduction in his sentence calculation. Therefore, the defendant's motion to reduce sentence (document no. 142) is DENIED.

SO ORDERED.

Date: November 5, 2012

/s/ Paul J. Barbadoro
Paul J. Barbadoro
United States District Judge

cc: Quenta Parker, pro se
Counsel of Record